

TEXAS MIDWIFERY BOARD

MEETING

Monday September 12, 2005 at 10:00 a.m. and Tuesday September 13, 2005 at 9:00 a.m.

Texas Department of State Health Services, Room M-652

1100 West 49th Street

Austin, Texas 78756-3199

MINUTES

Board Members Present:

Brent Baylor, Public Member

Thalia Hufton, Professional Member

Gail Winters-Johnson, Professional Member

Connie Carlos, Professional Member

Sylina Kennedy, Professional Member

Susan Chick, Public Member

Lisa Nash, Professional Member

Board Members Absent:

Barry Schwarz, Professional Member

Staff Present:

Yvonne Feinleib

Dan Meador

Georgia Norman

Guests Present:

M.Elena Rubio

Vicky Wells

Cathy Merritt

Julie Stagg

Chuck Girard

Molly Germash

Agenda Item 1 was to call the meeting (Part One) to order at 10:00 am, by Mr. Baylor, chair.

Agenda Item 2 was the introduction of new board members.

Agenda Item 4 was discussion and possible action regarding appointment of new members to the Education Committee. A motion was made by Mr. Baylor to appoint Ms. Chick, Ms. Hufton, Dr. Nash and Ms. Carlos to the committee. The motion was seconded and passed.

Agenda Item 3 was discussion and possible action regarding appointment of new members to the Complaint Review Committee. A motion was made by Mr. Baylor to appoint Dr. Schwarz, Mr. Baylor and Ms. Johnson to the committee. The motion was seconded and passed.

Agenda Item 5 was to recess the meeting until Tuesday, September 13, 2005 at 9:00 a.m.

Agenda Item 6 was to call the meeting to order on Tuesday, September 13, 2005 at 9:05 am by Ms. Johnson.

Agenda Item 7 was the reading and approval of the February 15, 2005 minutes. A motion was made by Dr. Nash to approve the minutes. The motion was seconded and passed.

Agenda Item 8 was discussion regarding the Unit Manager's report. Ms. Feinleib gave the report. She discussed the department's response to hurricane Katrina, the new database and the draft fee study.

Agenda Item 9 was discussion regarding the Program Director's report. Ms. Feinleib gave the report. She discussed the current numbers of midwives, newborn screening expansion, the appointment process and the rule process.

Agenda Item 10 was discussion and possible action regarding the Complaint Review Committee report. Ms. Johnson gave the report.

Agenda Item 11 was discussion and possible action regarding complaint# MW-04-019. A motion was made to accept the agreed order. The motion was seconded and passed.

Agenda Item 12 was discussion and possible action regarding complaint# MW-04-020. This complaint was withdrawn and not discussed.

Agenda Item 13 was discussion and possible action regarding complaint# MW-04-021. A motion was made to accept the default order. The motion was seconded and passed.

Agenda Item 15 was discussion and possible action regarding complaint# MW-04-024. A motion was made to accept the default order. The motion was seconded and passed.

Agenda Item 14 was discussion and possible action regarding complaint# MW-04-023. A motion was made to accept the agreed order. The motion was seconded and passed.

Agenda Item 16 was discussion and possible action regarding complaint# MW-05-003. This complaint was withdrawn and not discussed.

Agenda Item 17 was discussion and possible action regarding complaint# MW-05-005. A motion was made to close this complaint for no violation. The motion was seconded and passed.

Agenda Item 18 was discussion and possible action regarding complaint# MW-05-010. This complaint was withdrawn and not discussed.

Agenda Item 19 was discussion and possible action regarding complaint# MW-05-011. A motion was made to accept the agreed order. The motion was seconded and passed.

Agenda Item 22 was discussion regarding the approval of revisions to Texas Midwifery Basic Information and Instructor Manual.

Agenda Item 20 was discussion and possible action regarding Education Committee report. Ms. Hufton gave the report. The committee discussed the roles of the new members on the committee and the rules pertaining to education.

Agenda Item 23 was discussion regarding the approval of revisions to the Informed Choice and Disclosure Form. A motion was made to approve the revisions. The motion was seconded and passed.

Agenda Item 24 was discussion regarding the approval of the 2006 Midwife License Application Form. A motion was made to approve the application form. The motion was seconded and passed.

Agenda Item 25 was discussion regarding the approval of the Midwife License Certificate. A motion was made to

approve the certificate. The motion was seconded and passed.

Agenda Item 26 was discussion regarding the approval of the policy on the use of appropriate technological solutions. A motion was made by Ms. Johnson to accept the policy. The motion was seconded and passed.

Agenda Item 27 was discussion regarding the approval of the policy on the use of negotiated rulemaking and alternative dispute resolution. A motion was made by Ms. Johnson to accept the policy. The motion was seconded and passed.

Agenda Item 28 was discussion regarding the approval of the revisions to the policy on Limited English Proficiency (LEP) and Program Accessibility. A motion was made by Ms. Johnson to accept the policy. The motion was seconded and passed.

Agenda Item 29 was discussion regarding the approval of revisions to the policy on the Division of Responsibilities. A motion was made by Ms. Johnson to accept the policy. The motion was seconded and passed.

Agenda Item 31 was announcements and comments not requiring board action. Ms. Feinleib addressed the board concerning Dr. Schwarz's absence and the Office of Attorney General meeting in October.

Agenda Item 21 was the discussion and possible action regarding the approval of proposed rules for 22 TAC Chapter 831. A motion was made by Dr. Nash to approve the proposed amendments to Subchapters A, B, C, D and E. The motion was seconded and passed.

Agenda Item 30 was setting future meeting dates, which will be February 6-7, 2006.

Agenda Item 32 was public comment. One person addressed the board concerning retired midwives.

The Texas Midwifery Board having convened on this date and with a quorum present, will now go into Executive Session in accordance with Government Code, Chapter 551 (Open Meetings Act) of the State of Texas, for the purpose of reviewing examination questions for the jurisprudence examination as listed on the agenda as Item 33. The date is September 13, 2005. The time is 12:58 pm.

The Texas Midwifery Board came out of Executive Session at 1:55 pm. No formal action was taken. The date is September 13, 2005.

Agenda Item 33 was the discussion regarding the jurisprudence examination. No action taken.

Agenda Item 34 was adjournment. The meeting adjourned at 1:56 pm.

Brent Baylor, Chair